

REMARKS

Claims 1 through 20 are currently pending in the application.

Claims 1 through 20 currently stand rejected.

This amendment is in response to the Office Action of August 18, 2003.

To summarize the Office Action, claims 1, 2, 6 through 10, and 13 through 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Sehr (U.S. Patent 6,085,976).

Additionally, claims 3 through 5, 11, and 12 were rejected as being unpatentable over Sehr (U.S. Patent 6,085,976) in view of Colgate, Jr. (U.S. Patent 5,786,587) under 35 U.S.C. § 103(a).

After carefully considering the cited prior art, the rejections, and the Examiner's comments, Applicants have amended the claimed invention to clearly distinguish over the cited prior art.

Regarding the rejection of claims 1, 2, 6 through 10, and 13 through 20 as being anticipated by the Sehr reference under 35 U.S.C. § 102, Applicants assert that the Sehr reference does not and cannot anticipate the presently claimed invention of such claims.

Applicants assert that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Turning to the Sehr reference, a passenger card 11 includes "smart cards" that have a shape similar to plastic cards, but with at least one silicon chip/integrated circuit embedded into the card package. Such cards can further include PC (Personal Computer) card formats, handheld terminals or any pocket-sized computer configurations. The embedded circuits give the cards database storage means, processing and communications capabilities, or display means. The data stored in the smart card includes the equivalent of an electronic ticket for a particular itinerary, use rights for a specific transportation carrier, considerations for travel-related services, electronic money for payment, or security information for protecting the card content and identifying the rightful card holder.

Considering any rejection of presently claims 1, 2 6 through 10, and 13 through 20 as being anticipated by the Sehr reference under 35 U.S.C. § 102, Applicants assert that the Sehr

reference cannot and does not anticipate the presently claimed inventions of such claims because the Sehr reference does not identically describe each and every element of the presently claimed inventions in as complete detail as set forth in the presently amended claims. For instance, the presently amended independent claims 1, 9, and 17 have elements of the presently claimed inventions calling for “receiving a data card consisting of one of paper and card stock, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said printed indicia comprising access credentials for access to said data”, “providing a printed card consisting of one of paper and card stock”, and “receive a data card consisting of one of paper and card stock, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data.” Applicants assert that the Sehr reference contains no such description, either expressly or inherently, of such elements of the presently claimed inventions.

Applicants assert that, at best, the Sehr reference describes “smart cards” that have a shape similar to plastic cards, but with at least one silicon chip/integrated circuit embedded into the card package. Such cards can further include PC (Personal Computer) card formats, handheld terminals or any pocket-sized computer configurations. The embedded circuits give the cards database storage means, processing and communications capabilities, or display means. Applicants presently claimed inventions have claimed elements of the inventions calling for “data cards consisting of one of paper and card stock” Applicants presently claimed inventions do not and cannot include “at least one silicon chip/integrated circuit embedded into the card package.” Conversely, the Sehr reference only describes a card having at least one silicon chip/embedded integrated circuit of any type. Therefore, the Sehr reference cannot and does not anticipate the presently claimed inventions under 35 U.S.C. § 102 because the Sehr reference does not identically describe, either expressly or

inherently, a data card consisting of one of paper and card stock. Further, Applicants assert that, again at best, the Sehr reference merely states that a “smart card” that has a shape similar to a plastic card but having at least one silicon chip/integrated circuit embedded into the card package has “data stored into the card (not the material forming the card) includes the equivalent of an electronic ticket for a particular itinerary, use rights for a specific transportation carrier, considerations for travel-related services, electronic money for payment, or security information for protecting the card content and identifying the rightful card holder.” Applicants assert that, clearly, stored data in a smart card is not, either expressly or inherently, a data card consisting of one of paper and card stock, such as the presently claimed inventions of presently amended independent claims 1, 9, and 17.

Accordingly, presently amended independent claims 1, 9, and 17 are allowable as well as the dependent claims therefrom.

Considering the rejection of claims 3 through 5, 11 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Sehr (U.S. Patent 6,085,976) in view of Colgate, Jr. (U.S. Patent 5,786,587), Applicants assert that any such combination of the cited prior art cannot and does not establish a *prima facie* rejection regarding the presently claimed inventions of such claims.

Applicants further submit that to establish a *prima facie* case of obviousness under 35 U.S.C. § 103 three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the cited prior art reference must teach or suggest all of the claim limitations. Furthermore, the suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicants’ disclosure.

The Sehr reference, as discussed herein, describes, teaches or suggests, a passenger card 11 which includes “smart cards” that have a shape similar to plastic cards, but with at least one silicon chip/integrated circuit embedded into the card package. Such cards can further include PC (Personal Computer) card formats, handheld terminals or any pocket-sized computer configurations. The embedded circuits give the cards database storage means, processing and communications capabilities, or display means. The data stored in the smart

card includes the equivalent of an electronic ticket for a particular itinerary, use rights for a specific transportation carrier, considerations for travel-related services, electronic money for payment, or security information for protecting the card content and identifying the rightful card holder.

The Colgate, Jr. reference teaches or suggests a card having a hologram having a holographically generated off-axis bar code invisible to the naked eye and readable by a machine reader that will not read an attempted simulation of a bar code in any other form.

Applicants assert that any combination of the Sehr reference and the Colgate, Jr. reference cannot and does not establish a *prima facie* case of obviousness under 35 U.S.C. § 103 regarding the presently claimed inventions because such combination of the cited prior art does not teach or suggest the claim limitations of the presently amended independent claims 1, 9, and 17. Applicants assert that any combination of such cited prior art does not teach or suggest the claim limitations regarding the presently claimed inventions of presently amended independent claims 1, 9, and 17 calling for “receiving a data card consisting of one of paper and card stock, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said printed indicia comprising access credentials for access to said data”, “providing a printed card consisting of one of paper and card stock”, and “receive a data card consisting of one of paper and card stock, said data card including printed indicia descriptive of user information of at least one of information about a sender of said data and information about a recipient for said data and data information of at least one of credentials for authorization of a print job, credentials for authentication of a print job, information for decryption of a print job, and information for identification of a print job, said indicia comprising access credentials for access to said data.” Any combination of the Sehr reference and the Colgate, Jr. reference merely describe a “smart card” having at least one silicon chip/integrated circuit embedded into the card package and having a holographic bar code thereon. Such is not the presently claimed inventions of presently amended independent claims 1, 9, and 17 as well as the dependent claims therefrom. Additionally, any combination of such prior art cannot and does not teach or suggest the claim limitations of

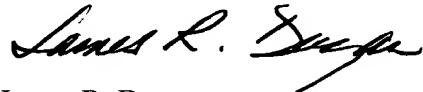
"wherein said indicia comprises a series of printed ink bar code symbols" and "wherein said indicia comprises a series of printed ink bar code symbols printed on a data card" because the Colgate, Jr. reference clearly states that it card include "a hologram having a holographically generated off-axis bar code invisible to the naked eye and readable by a machine reader that will not read an attempted simulation of a bar code in any other form" whereas the Sehr reference contains no teaching or suggestion whatsoever regarding a bar code being included in the embedded silicon chip/integrated circuit contained into the smart card.

Accordingly, any combination of the cited prior art cannot and does not establish a *prima facie* case of obviousness regarding the presently claimed inventions of dependent claims 3 through 5, 11 and 12. Therefore, such claims are allowable.

In summary, Applicants submit that claims 1 through 20 are clearly allowable over the cited prior art for the reasons set forth herein.

Applicants request the allowance of claims 1 through 20 and the case passed for issue.

Respectfully submitted,



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